

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

ROBERT R. GAGNE

PLAINTIFF

V.

CIVIL ACTION NO. 1:06cv711-LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY  
AND JOHN DOES 1-10

DEFENDANTS

**ORDER**

On October 2 and 3, 2006, Defendant State Farm filed respectively a [10] Motion to Dismiss and a [12] Motion for More Definite Statement, both with supporting memoranda [11] and [13]. Plaintiff has not filed a response to either motion. Defendant's motions are aimed at counts 8, 9, and 10 of the [1] complaint. Uniform Local Rule 7.2(c)(2) provides: "If a party fails to respond to any motion, other than a motion for summary judgment, within the time allotted, the court may grant the motion as unopposed.

Accordingly, **IT IS ORDERED:**

Plaintiff's counsel shall, within five (5) days of the date of this order, advise the Court of his position on Defendant's pending [10] and [12] motions; failure to so advise the Court or provide adequate support for said position shall result in the granting of the relief sought by Defendant, including dismissal of counts 8, 9, and 10 of the [1] complaint.

**SO ORDERED** this the 8<sup>th</sup> day of November, 2006.

*s/ L. T. Senter, Jr.*

L. T. Senter, Jr.  
Senior Judge